13 January 1971

MEMORANDUM FOR: Colonel White

Only the DD/S&T proposed any substantive change in the papers which you sent to the Deputies et al. We have worked out a middle ground on his proposed substantive change which is incorporated in the attached and which affected only paragraph 42 of the "Guidance" paper. We have not acted on the other proposal which Carl Duckett recommended very strongly, namely, a separate memorandum to those addressees of the Presidential paper who have representatives on USIB. This Carl Duckett had suggested in the original discussion of the subject matter and we decided against it because only two of the addressees "qualified" and we believe that the Director should preferably not be in a position of attempting to tell the Secretaries of State and Defense how to implement recommendations within their Departments. In talking with Don Steininger who was representing the DD/S&T viewpoint it was agreed that only Defense is actually involved since Sec State has but one intelligence officer. Although NIPE and we do not recommend a separate letter to SecDef which specifies the Director/DIA as the advisor, the Director could if he agrees with Carl's point use a transmittal note in lieu of a separate letter.

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We also attach the suggested internal paper prepared in the form of a Headquarters Notice. This represents a version agreed to by Messrs. Stewart, Parrott, Osborn and me. We have not referred the text to any of the other Deputies.

product of a committee.

John W. Coffey

Atts

NSC review(s) completed.

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THE DIRECTOR OF CENTRAL INTELLIGENCE WASHINGTON, D. C. 20505

MEMORANDUM FOR: The Secretary of State The Secretary of Defense The Attorney General

The Director, U.S. Arms Control and

Disarmament Agency

The Chairman, Joint Chiefs of Staff

The Administrator, National Aeronautics

and Space Administration

SUBJECT

Disclosures of Classified Information and Coordination and Clearance of Official Statements

DIKECIS

1. In the President's memorandum of December 21, 1970, subject as above, he asks that existing regulations designed to safeguard classified information be reviewed and strengthened where necessary, and calls for an adequate security review of all public disclosures with important security connotations. The President, noting statutory responsibilities and the Director of Central Intelligence for the protection of intelligence sources and methods, charged me with providing guidance in this field, especially

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through the machinery of the intelligence community.

I have instituted a review within the Central Intelligence Agency of existing regulations and procedures and will see to it that any deficiencies that come to light are corrected. Additionally, I am submitting to members and observers of the United States Intelligence Board a set of proposed guidelines to assist the intelligence community in carrying out the intent of the President's directive. A copy of these proposals, which essentially update somewhat similar guidance promulgated through USIB in 1960, is This guidance states, in paragraph 4a, that the responsibility of

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the intelligence chiefs of affected departments and agencies for assessing risks to intelligence sources and methods involved in deliberate disclosures should be delineated, and suggests ways in which this can be accomplished.

3. I urge that you use your principal intelligence or security officers to work out appropriate procedures to enable them to assist in an educational and advisory capacity in connection with releases which you or your principal officers may contemplate making and which might have security implications. Although not all addressees of the President's memorandum and of this one are members of the USIB. I believe the proposed guidelines should be essentially applicable to all affected departments and agencies.

4. I would appreciate it if you could let me have your reaction to these proposals and any additional comments you wish to make so that I will be able to report to the President in the near future what we are doing

to carry out his instructions.

Richard Helms

Director

Att

ORIGINATOR:

(Date)

DD/S:JWC:llc (12 Jan 71)

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John W. Coffey Deputy Director

for Support

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adance Governing Disclosures of Classified Intelligence

As pointed out in the President's Directive of December 21, 1970, oject "Disclosures of Classified Information and Coordination and Elearance of Official Statements, "machinery now exists to protect all classified information. It is evident that unauthorized disclosures of classified intelligence involve either careless or deliberate failure to comply with regulations and procedures already in effect. Further, with respect to sources and methods, widespread discussion of this subject, some of it unavoidable but much of it gratuitous, seems to have conveyed an impression in some parts of the Government that there is little, if anything, that is not known to the public. Nothing could be further from the truth. The protection of intelligence sources and methods continues to be of vital importance to our intelligence effort. The true origin of many categories of intelligence information to be used in public release or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

The President's Directive of December 21, 1970, refers to the statutory responsibility of the Director of Central Intelligence for the protection of intelligence sources and methods. The National Security Act of 1947 specifically states:

"... And provided further, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;"

This is a unique statutory responsibility and recognizes that protection of intelligence sources and methods is a professional intelligence matter. It is not to be expected that all consumers of intelligence, policy makers and others would recognize or be fully alert to potential danger to intelligence sources and methods resulting from release of intelligence. Consequently, it is believed that the intelligence community should take the leading role within their departments and agencies.

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not talking to children-

Chiefs of all components of the intelligence community should review the existing regulations and impress on all concerned the necessity to abide by them. The following specific actions should be taken:

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- 1. Review existing departmental and agency regulations governing the control of classified information to make sure that in every instance they meet the criteria required by the steadily increasing volume and significance of classified intelligence, particularly including sensitive compartmented intelligence. Particular emphasis should be placed on assuring that the need-to-know principle is strictly enforced.
- 2. Make sure that briefing and indoctrination procedures are reviewed with the objectives of paragraph 1 above in view. These procedures should be so designed as to assure that newly indoctrinated members of the intelligence community and other newly indoctrinated officials of the Government fully understand the differences which exist among various kinds of intelligence, with respect to danger to the source or method which would result from disclosure. It should also be the purpose of these procedures to explain the way in which cleared individuals can readily ascertain the clearance status of others before discussing classified information with them, and to make sure that they do so.
- 3. Provide for periodic reindoctrination and continuing education in security practices and procedures, to include a program for prompt debriefing of individuals who no longer have a need-to-know.
- 4. Review procedures for authorizing and controlling disclosures and releases.
 - a. The responsibility of the intelligence chief for assessing the risk to intelligence sources and methods involved in deliberate disclosures should be delineated. There should be a review and assessment by intelligence authorities whenever any classified intelligence is proposed

for declassification or for use in briefings, testimony, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, or other activities in the course of which there is a danger that intelligence sources and methods might be revealed. Each assessment should include methods by which such intelligence can be effectively and plausibly sanitized by or with the approval of the originating agency so as to protect the source. Sensitive intelligence to be disclosed should be clearly identified as such and the official disclosing it should be so cautioned when appropriate. This can be particularly important in dealing with public information officials who cannot be expected to be fully familiar with the origins of sensitive information. Records should be maintained regarding any classified intelligence declassified or authorized for disclosure.

- b. The facts surrounding inadvertent disclosure of classified intelligence to any person or persons not authorized for access to such intelligence should be reported to the appropriate intelligence chief, who will inform the originating agency in any potentially harmful case.
- c. Any person having knowledge of any disclosure of classified intelligence made contrary to the regulations and controls of the department or agency concerned should promptly report it to the appropriate intelligence chief for action. Such action may include (1) such steps as are feasible to repair or limit the extent of the damage; (2) a request for investigation by appropriate authorities; (3) an assessment of the possible harm to intelligence sources and methods and notification to all intelligence authorities concerned; and (4) prompt notification to all official recipients that an unauthorized disclosure has occurred, together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

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- 5. Take fully into account, in proposing the release of any intelligence derived from a joint project in the intelligence community, the interests of any other members of the intelligence community which might be concerned. If a department or agency authorizes the disclosure of sensitive intelligence from such a source, that agency is responsible for informing other USIB members of the action. Special attention should be given to defining the precise limits of the disclosure and to cautioning against inadvertent elaboration or extension beyond those limits.
- 6. Take disciplinary action where appropriate, in a just, clear, and definite manner which will demonstrate the extreme seriousness with which unauthorized disclosures are viewed.

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UNITED STATES INTELLIGENCE BOARD

OFFICE OF THE CHAIRMAN

MEMORANDUM FOR USIB PRINCIPALS

SUBJECT

: Guidelines Governing Disclosures of Classified Intelligence

- 1. The President has issued a memorandum dated December 21, 1970 entitled "Disclosures of Classified Information and Coordination and Clearance of Official Statements". A copy of this is attached for your information and guidance, as well as a copy of a memorandum I am sending to the other addressees of the President's communication.
- 2. The President, noting my statutory responsibilities of Control Intelligence for the protection of intelligence sources and methods, charged me with providing guidance in this field, especially through the machinery of the intelligence community. In this connection, I would appreciate your giving personal attention to the attached draft guidelines for the intelligence community. I plan to discuss these in executive session at an early meeting of the USIB.

Richard Helms Chairman

Atts

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THE WHITE HOUSE

WASHINGTON

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December 21, 1970

MEMORANDUM FOR:

The Secretary of State
The Secretary of Defense
The Attorney General
The Director, U.S. Arms Control and
Disarmament Agency
The Chairman, Joint Chiefs of Staff
The Director of Central Intelligence
The Administrator, National Aeronautics
and Space Administration

SUBJECT:

Disclosures of Classified Information and Coordination and Clearance of Official Statements

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that the practice of releasing such information without proper authorization will be brought to an end.

Executive Order 10501, of December 15, 1953, as amended, established regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures

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designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should
assure that only those individuals with a demonstrated "need-to-know"
receive classified information and that all recipients are constantly
aware of the necessity to protect it from public disclosure. They
should provide for an adequate security review of all statements and
documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary
action against individuals under their jurisdiction found responsible
for careless or deliberate mishandling of classified information.

The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

I also reaffirm the following instructions which I issued on September 1, 1970 concerning coordination and clearance of public statements and press releases and the necessity for White House clearance of all official communications having policy implications:

- all public communications on matters of known or potential Presidential interest must be carefully cleared by the White House (Assistant to the President for National Security) for consistency with Presidential policy and for coordination with the departments and agencies who share overlapping interests and responsibilities. Should there be any uncertainty as to Presidential or interdepartmental interest, it will be resolved in favor of clearance."
- --"Official communications: All official communications with policy implications must be cleared by the White House. When in doubt, the rule is that messages will be so cleared. This procedure requires close and confidential staff relationships at all levels between the White House and your department as well as among departments."

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Approved For Release 2006/04/21 : CIA-RDP84-00780R004300060017-3 S-E-C-R-E-T

This Notice Expires	
SECURITY	
DISCLOSURES OF CLASSIFIED INFORMATION	
AND COORDINATION AND CLEARANCE OF OFFICIAL STAT	EMENTS
REFERENCES:	

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- 1. The President is concerned over disclosures in the public media of classified information bearing upon important aspects of national security, particularly those disclosures that may jeopardize intelligence sources and methods. He has directed that immediate steps be taken to ensure that access to classified information is restricted to those individuals who have a demonstrated need to know, who possess an appropriate clearance, and who are fully aware of the necessity of protecting the information from public disclosure. In addition, the President has ordered responsible officials to take firm disciplinary action against individuals under their jurisdiction who are found responsible for mishandling of classified information, either deliberately or through carelessness.
- 2. The Director of Central Intelligence has statutory responsibility for the protection of intelligence sources and methods, which include clandestine agent operations and technical collection systems. Unauthorized disclosures in these areas could result in the compromise of agent personnel or enable the opposition to take effective countermeasures.
- 3. Our policies and procedures governing the control and dissemination of classified information are fundamentally sound. It is essential, however, that all employees be fully aware of these policies and procedures and adhere to them. Those of particular importance are set forth below.
 - a. The Assistant to the Director is responsible for the coordination within the Agency of responses to inquiries from representatives of public information media, and all such inquiries will be referred to him.
 - b. Agency employees will have no contact with representatives of the public information media for the purpose of furnishing information without the prior approval of the Assistant to the Director.

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- c. All public requests for information under Public Law 89-487, "Freedom of Information Act," are to be referred to the Assistant to the Director for action.
- d. Public statements, press releases, and official external communications concerning matters in which the President has a known or likely interest or which have broad policy implications must be submitted to the Executive Director-Comptreller for clearance by the White House prior to release.
- e. The Executive Director-Comptroller or the Deputy Director concerned will review all requests for unofficial public appearances and for permission to publish to ensure that classified information is not disclosed without authorization.
- f. Each employee is responsible for protecting official data from unauthorized disclosure. (Official data is defined as all information--classified or unclassified--received, compiled, or created by the Central Intelligence Agency. Personal copies of unclassified personnel papers are excluded.) Official data in Agency files will not be copied or removed from the files for release outside the Agency except by those officials who have been authorized to do so by the Director of Central Intelligence, either personally or through the chain of command. Within the Agency, official data will be disclosed only to those employees whose duties require them to have access to it (need to know) and who have the appropriate clearances.
- g. Any employee having knowledge of an unauthorized disclosure of classified information must report it promptly to the Director of Security, who, in coordination with the appropriate Deputy Director or the Executive Director-Comptroller, will determine the steps to be taken to limit the extent of the damage and to identify the person responsible for the unauthorized disclosure. The Director of Security will also provide prompt notification, as appropriate, to all official recipients of the information that an unauthorized disclosure has occurred, together with his recommendations for remedial action.
- h. All employees are admonished to omit from social conversation any suggestion that their insights on matters of national security or on foreign affairs in general are based on privileged information. They also should take care to avoid implying, in any way, that the positions they take for or against announced national policies are supported by privileged information.

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4. The Director of Central Intelligence, in carrying out his statutory responsibility for the protection of intelligence sources and methods, is prepared to take strong disciplinary action against any employee who jeopardizes the security of those sources and methods through unauthorized disclosure of classified information.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

JOHN W. COFFEY
Deputy Director
for Support

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Colonel White

Herewith the package of papers which represent the substantive and editorial efforts of Gordon Stewart. Tom Parrott, Howard Osborn and myself plus

on the text of the memorandum for USIB principals. Copies of the "guidance paper" will be sent with both memoranda.

If these papers look reasonable to you, it would be our hope that the review you propose with the other Deputies be limited to principles and substance to avoid having the meeting turn into a redrafting session.

Gordon, Tom, Oz and I have copies of these

John W. Coffey
JAN 1971

John W. Coffey
Deputy Director for Support 7-D-26 Hqs.

DD/S:JWC:llc (6 January 1971)

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DRAFT (5 January 1971)

MEMORANDUM FOR: The Secretary of State

The Secretary of Defense
The Attorney General

The Director, U.S. Arms Control and

Disarmament Agency

The Chairman, Joint Chiefs of Staff

The Administrator, National Aeronautics

and Space Administration

SUBJECT

: Disclosures of Classified Information and Coordination and Clearance of Official Statements

In the President's memorandum of December 21, 1970, subject as above, he asks that existing regulations designed to safeguard classified information be reviewed and strengthened where necessary, and calls for an adequate security review of all public disclosures with important security connotations. Further, he charges me with providing guidance for the protection of intelligence sources and methods, especially through the machinery of the intelligence community.

I have instituted a review within the Central Intelligence Agency of existing regulations and procedures and will see to it that any deficiencies that come to light are corrected. Additionally, I am submitting to members and observers of the United States Intelligence Board a set of proposed guidelines to assist the intelligence community in carrying out the intent of the President's directive. A copy of these proposals, which essentially update somewhat

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similar guidance promulgated through USIB in 1960, is attached. This guidance states, in paragraph 4a, that the responsibility of the intelligence chiefs of affected departments and agencies for assessing risks to intelligence sources and methods involved in deliberate disclosures should be delineated, and suggests ways in which this can be accomplished.

I urge that you use your principal intelligence or security officers to work out appropriate procedures to enable them to assist in an educational and advisory capacity in connection with releases which you or your principal officers may contemplate making and which might have security implications. Although not all addressees of the President's memorandum and of this one are members of the USIB, I believe the proposed guidelines should be essentially applicable to all affected departments and agencies.

I would appreciate it if you could let me have your reaction to these proposals and any additional comments you wish to make so that I will be able to report to the President in the near future what we are doing to carry out his instructions.

Richard Helms

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DRAFT (4 January 1971)

MEMORANDUM FOR USIB PRINCIPALS

SUBJECT: Guidelines Governing Disclosures of Classified Intelligence

- 1. The President has issued a memorandum dated

 December 21, 1970, entitled "Disclosures of Classified Information and Coordination and Clearance of Official Statements."

 A copy of this is attached for your information and guidance, as
 well as a copy of a memorandum I am sending to the other addressees
 of the President's communication.
- viding guidance in carrying out his instructions with respect to the protection of intelligence sources and methods, particularly through the machinery of the intelligence community. In this connection, I would appreciate your giving personal attention to the attached draft guidelines for the intelligence community. I plan to discuss these in executive session at an early meeting of the USIB.

Richard Helms

As pointed out in the President's Directive of December 21, 1970, subject "Disclosures of Classified Information and Coordination and Clearance of Official Statements", machinery now exists to protect all classified information. It is evident that unauthorized disclosures of classified intelligence involve either careless or deliberate failure to comply with regulations and procedures already in effect. Further, with respect to sources and methods, widespread discussion of this subject, some of it unavoidable but much of it gratuitous, seems to have conveyed an impression in some parts of the Government that there is little, if anything, that is not known to the public. Nothing could be further from the truth. The protection of intelligence sources and methods continues to be of vital importance to our intelligence effort. The true origin of many categories of intelligence information to be used in public release or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

Chiefs of all components of the intelligence community should review the existing regulations and impress on all concerned the necessity to abide by them. The following specific actions should be taken:

1. Review existing departmental and agency regulations governing the control of classified information to make sure that in every instance they meet the criteria required by the steadily

increasing volume and significance of classified intelligence, Approved For Release 2006/04/21: CIA-RDP84-00780R004300060017-3

particularly including sensitive compartmented intelligence.

Particular emphasis should be placed on assuring that the needto-know principle is strictly enforced.

- 2. Make sure that briefing and indoctrination procedures are reviewed with the objectives of paragraph 1 above in view.

 These procedures should be so designed as to assure that newly indoctrinated members of the intelligence community and other newly indoctrinated officials of the Government fully understand the differences which exist among various kinds of intelligence, with respect to danger to the source which would result from disclosure. It should also be the purpose of these procedures to explain the way in which cleared individuals can readily ascertain the clearance status of others before discussing classified information with them, and to make sure that they do so.
- 3. Provide for periodic reindoctrination and continuing education in security practices and procedures, to include a program for prompt debriefing of individuals who no longer have a need-to-know.
- 4. Review procedures for authorizing and controlling disclosures and releases.

The responsibility of the intelligence chief for assessing the risk to intelligence sources and methods involved in deliberate disclosures should be delineated. Assessments should include methods by which such intelligence can be effectively and plausibly sanitized by or with the approval of the originating agency so as to protect the source. There should be provisions for a review by intelligence authorities of any classified intelligence proposed for declassification or for use in briefings, testimony, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, or other activities in the course of which there is a danger that intelligence sources and methods might be revealed. Sensitive intelligence to be disclosed should be clearly identified as such and the official disclosing it should be so cautioned when appropriate. This can be particularly important in dealing with public information officials who cannot be expected to be fully familiar with the origins of sensitive information. Records should be maintained regarding any classified intelligence declassified or authorized

for disclosure.
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- b. The facts surrounding inadvertent disclosure of classified intelligence to any person or persons not authorized for access to such intelligence should be reported to the appropriate intelligence chief, who will inform the originating agency in any potentially harmful case.
- c. Any person having knowledge of any disclosure of classified intelligence made contrary to the regulations and controls of the department or agency concerned should promptly report it to the appropriate intelligence chief for action. Such action may include (1) such steps as are feasible to repair or limit the extent of the damage; (2) a request for investigation by appropriate authorities; (3) an assessment of the possible harm to intelligence sources and methods and notification to all intelligence authorities concerned; and (4) prompt notification to all official recipients that an unauthorized disclosure has occurred, together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

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- 5. Take fully into account the interests of any other members of the intelligence community who might be concerned, in proposing the release of any intelligence derived from a joint project in the intelligence community. If a department or agency authorizes the disclosure of sensitive intelligence from such a source, that agency is responsible for informing other USIB members of the action. Special attention should be given to defining the precise limits of the disclosure and to cautioning against inadvertent elaboration or extension beyond those limits.
- 6. Take disciplinary action where appropriate, in a just, clear, and definite manner which will demonstrate the extreme seriousness with which unauthorized disclosures are viewed.

Approved For Release 2006/04/21, CIA-RDP84-00780R004300060017-3

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23 December 1970

DD/S 76.4968

MEMORANDUM FOR: Mr. John Bross

Mr. Robert Bannerman

Mr. Howard Osborn

Mr. R. J. Smith

Mr. Cord Meyer

Mr. Carl Duckett

Mr. Lawrence Houston

Mr. Gordon Stewart

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SUBJECT

: Disclosures of Classified Information and Coordination and Clearance of Official Statements

You have received separately a copy of a memorandum from the President dated 21 December 1970, subject as above. Pursuant to General Cushman's suggestion at the Morning Meeting today, I should like to meet with you immediately after the Morning Meeting on Tuesday, 29 December, to develop recommendations for the Director as to what action would be appropriate for him to take in light of the special responsibilities which the President has placed on him.

25X1

L. K. White

Executive Director-Comptroller

Approved For Release 2006/04/21 : CIA-RDP84-00780R004300060017-3

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Approved For Release 2006/04/21:: CIA-RDP84-00780R004300060017-3

THE WHITE HOUSE WASHINGTON

SECRET

December 21, 1970

MEMORANDUM FOR:

The Secretary of State
The Secretary of Defense
The Attorney General
The Director, U.S. Arms Control and
Disarmament Agency
The Chairman, Joint Chiefs of Staff
The Director of Central Intelligence
The Administrator, National Aeronautics
and Space Administration

SUBJECT:

Disclosures of Classified Information and Coordination and Clearance of Official Statements

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that the practice of releasing such information without proper authorization will be brought to an end.

Executive Order 10501, of December 15, 1953, as amended, established regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures

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designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should assure that only those individuals with a demonstrated "need-to-know" receive classified information and that all recipients are constantly aware of the necessity to protect it from public disclosure. They should provide for an adequate security review of all statements and documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary action against individuals under their jurisdiction found responsible for careless or deliberate mishandling of classified information.

The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

I also reaffirm the following instructions which I issued on September 1, 1970 concerning coordination and clearance of public statements and press releases and the necessity for White House clearance of all official communications having policy implications:

- all public communications on matters of known or potential Presidential interest must be carefully cleared by the White House (Assistant to the President for National Security) for consistency with Presidential policy and for coordination with the departments and agencies who share overlapping interests and responsibilities. Should there be any uncertainty as to Presidential or interdepartmental interest, it will be resolved in favor of clearance."
- --"Official communications: All official communications with policy implications must be cleared by the White House. When in doubt, the rule is that messages will be so cleared. This procedure requires close and confidential staff relationships at all levels between the White House and your department as well as among departments."

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THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

EMORANDUM FOR: The Secretary of State

The Secretary of Defense

The Attorney General

The Director, U.S. Arms Control and

Disarmament Agency

The Chairman, Joint Chiefs of Staff

The Administrator, National Aeronautics

and Space Administration

SUBJECT

: Disclosures of Classified Information and Coordination and Clearance of Official Statements

1. In the President's memorandum of December 21, 1970, subject as above, he asks that existing regulations designed to safeguard classified information be reviewed and strengthened where necessary, and calls for an adequate security review of all public disclosures with important security connotations. The President, noting the statutory responsibilities as of the Director of Central Intelligence for the protection of intelligence sources and methods, charged me with providing guidance in this field, especially through the machinery of the intelligence community.

2. I have instituted a review within the Central Intelligence Agency of existing regulations and procedures and will see to it that any deficiencies that come to light are corrected. Additionally, I am submitting to members and observers of the United States Intelligence Board a set of proposed guidelines to assist the intelligence community in carrying out the intent of the President's directive. A copy of these proposals, which essentially update somewhat similar guidance promulgated through USIB in 1960, is attached. This guidance states, in paragraph 4a, that the responsibility of

the intelligence chiefs of affected departments and agencies for assessing risks to intelligence sources and methods involved in deliberate disclosures should be delineated, and suggests ways in which this can be accomplished.

I urge that you use your principal intelligence or security officers to work out appropriate procedures to enable them to assist in an educational and advisory capacity in connection with releases which you or your principal officers may contemplate making and which might have security implications. Although not all addressees of the President's memorandum and of this one are hembers of the USIB, I believe the proposed guidelines should be essentially applicable to all affected departments and agencies.

It mould be most helptu yould appreciate it if you could let me have your reaction to these proposals and any additional comments you wish to make so that I will be able to report to the President in the near future what we are doing

to carry out his instructions.

Att

DD/S:JWC:11c (12 Jan 71)

Distribution:

Orig - SecState

1 - Ea Following Adse

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Director

ORIGINATOR:

13 JAN 1971

(Date)

(signed) John W. Coffey John W. Coffey

Deputy Director

for Support

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Guidance Governing Disclosures of Classified Intelligence

As pointed out in the President's Directive of December 21, 1970, subject "Disclosures of Classified Information and Coordination and Clearance of Official Statements, "machinery now exists to protect all classified information. It is evident that unauthorized disclosures of classified intelligence involve either careless or deliberate failure to comply with regulations and procedures already in effect. Further, with respect to sources and methods, widespread discussion of this subject, some of it unavoidable but much of it gratuitous, seems to have conveyed an impression in some parts of the Government that there is little, if anything, that is not known to the public. Nothing could be further from the truth. The protection of intelligence sources and methods continues to be of vital importance to our intelligence effort. The true origin of many categories of intelligence information to be used in public release or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

The President's Directive of December 21, 1970, refers to the statutory responsibility of the Director of Central Intelligence for the protection of intelligence sources and methods. The National Security Act of 1947 specifically states:

"... And provided further, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;"

This is a unique statutory responsibility and recognizes that protection of intelligence sources and methods is a professional intelligence matter. It is not to be expected that all consumers of intelligence, policy makers and others would recognize or be fully alert to potential danger to intelligence sources and methods resulting from release of intelligence. Consequently, it is believed that the intelligence community should take the leading role within their departments and agencies.

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Chiefs of all components of the intelligence community should review the existing regulations and impress on all concerned the necessity to abide by them. The following specific actions should be taken:

- 1. Review existing departmental and agency regulations governing the control of classified information to make sure that in every instance they meet the criteria required by the steadily increasing volume and significance of classified intelligence, particularly including sensitive compartmented intelligence. Particular emphasis should be placed on assuring that the need-to-know principle is strictly enforced.
- 2. Make sure that briefing and indoctrination procedures are reviewed with the objectives of paragraph 1 above in view. These procedures should be so designed as to assure that newly indoctrinated members of the intelligence community and other newly indoctrinated officials of the Government fully understand the differences which exist among various kinds of intelligence, with respect to danger to the source or method which would result from disclosure. It should also be the purpose of these procedures to explain the way in which cleared individuals can readily ascertain the clearance status of others before discussing classified information with them, and to make sure that they do so.
- 3. Provide for periodic reindoctrination and continuing education in security practices and procedures, to include a program for prompt debriefing of individuals who no longer have a need-to-know.
- 4. Review procedures for authorizing and controlling disclosures and releases.
 - a. The responsibility of the intelligence chief for assessing the risk to intelligence sources and methods involved in deliberate disclosures should be delineated. There should be a review and assessment by intelligence authorities whenever any classified intelligence is proposed

for declassification or for use in briefings, testimony, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, or other activities in the course of which there is a danger that intelligence sources and methods might be revealed. Each assessment should include methods by which such intelligence can be effectively and plausibly sanitized by or with the approval of the originating agency so as to protect the source. Sensitive intelligence to be disclosed should be clearly identified as such and the official disclosing it should be so cautioned when appropriate. This can be particularly important in dealing with public information officials who cannot be expected to be fully familiar with the origins of sensitive information. Records should be maintained regarding any classified intelligence declassified or authorized for disclosure.

- b. The facts surrounding inadvertent disclosure of classified intelligence to any person or persons not authorized for access to such intelligence should be reported to the appropriate intelligence chief, who will inform the originating agency in any potentially harmful case.
- c. Any person having knowledge of any disclosure of classified intelligence made contrary to the regulations and controls of the department or agency concerned should promptly report it to the appropriate intelligence chief for action. Such action may include (1) such steps as are feasible to repair or limit the extent of the damage; (2) a request for investigation by appropriate authorities; (3) an assessment of the possible harm to intelligence sources and methods and notification to all intelligence authorities concerned; and (4) prompt notification to all official recipients that an unauthorized disclosure has occurred, together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

- 5. Take fully into account, in proposing the release of any intelligence derived from a joint project in the intelligence community, the interests of any other members of the intelligence community which might be concerned. If a department or agency authorizes the disclosure of sensitive intelligence from such a source, that agency is responsible for informing other USIB members of the action. Special attention should be given to defining the precise limits of the disclosure and to cautioning against inadvertent elaboration or extension beyond those limits.
- 6. Take disciplinary action where appropriate, in a just, clear, and definite manner which will demonstrate the extreme seriousness with which unauthorized disclosures are viewed.

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UNITED STATES INTELLIGENCE BOARD

OFFICE OF THE CHAIRMAN

MEMORANDUM FOR USIB PRINCIPALS

SUBJECT

: Guidelines Governing Disclosures of Classified Intelligence

1. The President has issued a memorandum dated December 21, 1970 entitled "Disclosures of Classified Information and Coordination and Clearance of Official Statements". A copy of this is attached for your information and guidance, as well as a copy of a memorandum I am sending to the other addressees of the President's communication.

2. The President, noting my statutory responsibilities as
Director of Central Intelligence for the protection of intelligence sources
and methods, charged me with providing guidance in this field, especially
through the machinery of the intelligence community. In this connection,
I would appreciate your giving personal attention to the attached draft
guidelines for the intelligence community. I plan to discuss these in
executive session at an early meeting of the USIB.

Richard Helms Chairman

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THE WHITE HOUSE

Executive 20 6210

SECRET

December 21, 1970

MEMORANDUM FOR:

The Secretary of State
The Secretary of Defense
The Attorney General
The Director, U.S. Arms Control and
Disarmament Agency
The Chairman, Joint Chiefs of Staff
The Director of Central Intelligence
The Administrator, National Aeronautics
and Space Administration

SUBJECT:

Disclosures of Classified Information and Coordination and Clearance of Official Statements

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that the practice of releasing such information without proper authorization will be brought to an end.

Executive Order 10501, of December 15, 1953, as amended, established regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures

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designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should
assure that only those individuals with a demonstrated "need-to-know"
receive classified information and that all recipients are constantly
aware of the necessity to protect it from public disclosure. They
should provide for an adequate security review of all statements and
documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary
action against individuals under their jurisdiction found responsible
for careless or deliberate mishandling of classified information.

The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

I also reaffirm the following instructions which I issued on September 1, 1970 concerning coordination and clearance of public statements and press releases and the necessity for White House clearance of all official communications having policy implications:

- all public communications on matters of known or potential Presidential interest must be carefully cleared by the White House (Assistant to the President for National Security) for consistency with Presidential policy and for coordination with the departments and agencies who share overlapping interests and responsibilities. Should there be any uncertainty as to Presidential or interdepartmental interest, it will be resolved in favor of clearance."
- --"Official communications: All official communications with policy implications must be cleared by the White House.

 When in doubt, the rule is that messages will be so cleared.

 This procedure requires close and confidential staff relationships at all levels between the White House and your department as well as among departments."

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This Notice Expires	
SECURITY	25X1
DISCLOSURES OF CLASSIFIED INFO	
REFERENCES:	25X1

- 1. The President is concerned over disclosures in the public media of classified information bearing upon important aspects of national security, particularly those disclosures that may jeopardize intelligence sources and methods. He has directed that immediate steps be taken to ensure that access to classified information is restricted to those individuals who have a demonstrated need to know, who possess an appropriate clearance, and who are fully aware of the necessity of protecting the information from public disclosure. In addition, the President has ordered responsible officials to take firm disciplinary action against individuals under their jurisdiction who are found responsible for mishandling of classified information, either deliberately or through carelessness.
- 2. The Director of Central Intelligence has statutory responsibility for the protection of intelligence sources and methods, which include clandestine agent operations and technical collection systems. Unauthorized disclosures in these areas could result in the compromise of agent personnel or enable the opposition to take effective countermeasures.
- 3. Our policies and procedures governing the control and dissemination of classified information are fundamentally sound. It is essential, however, that all employees be fully aware of these policies and procedures and adhere to them. Those of particular importance are set forth below.
 - a. The Assistant to the Director is responsible for the coordination within the Agency of responses to inquiries from representatives of public information media, and all such inquiries will be referred to him.
 - b. Agency employees will have no contact with representatives of the public information media for the purpose of furnishing information without the prior approval of the Assistant to the Director.

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- c. All public requests for information under Public Law 89-487, "Freedom of Information Act," are to be referred to the Assistant to the Director for action.
- d. Public statements, press releases, and official external communications concerning matters in which the President has a known or likely interest or which have broad policy implications must be submitted to the Executive Director-Comptroller for clearance by the White House prior to release.
- e. The Executive Director-Comptroller or the Deputy Director concerned will review all requests for unofficial public appearances and for permission to publish to ensure that classified information is not disclosed without authorization.
- f. Each employee is responsible for protecting official data from unauthorized disclosure. (Official data is defined as all information--classified or unclassified--received, compiled, or created by the Central Intelligence Agency. Personal copies of unclassified personnel papers are excluded.) Official data in Agency files will not be copied or removed from the files for release outside the Agency except by those officials who have been authorized to do so by the Director of Central Intelligence, either personally or through the chain of command. Within the Agency, official data will be disclosed only to those employees whose duties require them to have access to it (need to know) and who have the appropriate clearances.
- g. Any employee having knowledge of an unauthorized disclosure of classified information must report it promptly to the Director of Security, who, in coordination with the appropriate Deputy Director or the Executive Director-Comptroller, will determine the steps to be taken to limit the extent of the damage and to identify the person responsible for the unauthorized disclosure. The Director of Security will also provide prompt notification, as appropriate, to all official recipients of the information that an unauthorized disclosure has occurred, together with his recommendations for remedial action.
- h. All employees are admonished to omit from social conversation any suggestion that their insights on matters of national security or on foreign affairs in general are based on privileged information. They also should take care to avoid implying, in any way, that the positions they take for or against announced national policies are supported by privileged information.

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4. The Director of Central Intelligence, in carrying out his statutory responsibility for the protection of intelligence sources and methods, is prepared to take strong disciplinary action against any employee who jeopardizes the security of those sources and methods through unauthorized disclosure of classified information.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

JOHN W. COFFEY Deputy Director for Support

DISTRIBUTION: ALL EMPLOYEES

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